



AF/1649
\$

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 99,499)

RECEIVED

AUG 16 2000

TECH CENTER 1600/2900

In re Application of:

Chou, et al.

Serial No.: 08/903,944

Filed: July 31, 1997

For: PRODUCTION OF TRANSGENIC
POINSETTIA

Examiner: D. Fox

Group Art Unit: 1649

Asst. Commissioner for Patents
BOX AF
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:

- Notice of Appeal and Petition for One Month Extension of Time;
- A check in the amount of \$410.00; and
- Post card.

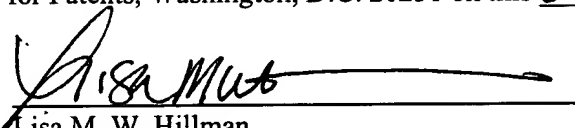
2. With respect to additional fees:

A check in the amount of \$410.00 is attached.

3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on this 8-10-00 day of August, 2000.

By:


Lisa M. W. Hillman
Reg. No. 43,673

McDONNELL BOEHNEN HULBERT & BERGHOFF
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001
FACSIMILE: (312) 913-0002

#20



CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on Aug. 10, 2000 (Date of Deposit).

8-10-2000 Date John M. W. H. Name

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,499)

In re Application of:)	
)	
Chou <i>et al.</i>)	
)	Examiner: D. Fox
Serial No.: 08/903,944)	
)	Group Art Unit: 1649
Filed: July 31, 1997)	
)	
For: PRODUCTION OF TRANSGENIC POINSETTIA)	

NOTICE OF APPEAL AND PETITION FOR EXTENSION OF TIME

Assistant Commissioner for Patents
BOX AF
Washington, D.C. 20231

Sir:

Applicants respectfully request a one-month extension of time under 37 C.F.R. § 1.136 for filing a response to the outstanding Final Office Action mailed on April 11, 2000. Accordingly, it is respectfully requested that an extension of time until August 11, 2000 be granted in this application.

Applicants further hereby appeal to the Board of Appeals from the Final Office Action dated April 11, 2000, of the primary Examiner finally rejecting claims 1-3, 6-37, 39-45, 47-

RECEIVED

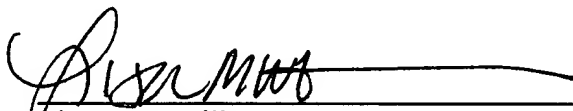
AUG 16 2000

1600/2900

71, and 73-112 and objecting to claims 4-5, 38, and 72. Our check in the amount of four hundred ten dollars (\$410.00) is attached to cover the Notice of Appeal fee (\$300.00) and the Extension fee (\$110.00). In the event any variance between the amount enclosed and the Patent and Trademark Office charges, please charge or credit any difference to our Deposit Account No. 13-2490.

Respectfully submitted,

Dated: August 10, 2000



Lisa M.W. Hillman
Registration No. 43,673

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive, Suite 3200
Chicago, Illinois 60606
Telephone No. 312-913-0001
Facsimile No. 312-913-0002